



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Frederick A. Ware, et al.

Title: METHOD AND APPARATUS FOR SIGNALING BETWEEN  
DEVICES OF A MEMORY SYSTEM

App. No.: 10/053,340

Filed: 10/22/2001

Examiner:

Group Art Unit: 2181

RECEIVED

Atty. Dkt. No. 1726.7220701

AUG 06 2002

Attention: Office of Petitions  
Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

OFFICE OF PETITIONS

PETITION FOR LATE ACCEPTANCE OF NOTICE OF FOREIGN FILING,  
OR, IN THE ALTERNATIVE, PETITION FOR LATE ACCEPTANCE OF  
REQUEST TO RESCIND PREVIOUS REQUEST FOR NON-PUBLICATION,  
OR, IN THE ALTERNATIVE, PETITION FOR REVIVAL OF AN  
APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b), OR, IN  
THE ALTERNATIVE, PETITION FOR QUESTIONS NOT SPECIFICALLY  
PROVIDED FOR UNDER 37 C.F.R. § 1.182

Dear Sir:

Applicant filed the above-referenced patent application on 10/22/2001 and, at that time, requested nonpublication under 35 U.S.C. § 122(b)(2)(B)(i). Applicant subsequently filed a European patent application on 04/23/2002 and a Japanese patent application on 04/24/2002, both claiming priority to the above-referenced patent application. Applicant petitions for late acceptance of notification of such filing under 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(c). The delay in notifying the Office of such filing was unintentional.

In the alternative, Applicant petitions for late acceptance of a request to rescind the previously-filed nonpublication request under 35 U.S.C. § 122(b)(2)(B)(ii) and 37 C.F.R. § 1.213(b). Applicant submits herewith a Request to Rescind Previous Nonpublication Request (Form PTO/SB/36) signed in compliance with 37 C.F.R. § 1.33(b). The delay in filing the request was unintentional.

In the alternative, in the event the Office determines that the above-identified application became abandoned, Applicant petitions for revival of an application for patent abandoned unintentionally under 37 C.F.R. § 1.137(b). The entire delay in filing the required reply from the

due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional. Applicant includes herewith the following (1) a petition fee, (2) a reply (including notice of filing under 37 C.F.R. § 1.213(c) as set forth herein), and (3) the statement above that the entire delay was unintentional. Since the above-referenced utility patent application was filed on or after June 8, 1995, no terminal disclaimer is required.

In the alternative, Applicant petitions for relief under any applicable section of 37 C.F.R. Part 1, including 37 C.F.R. § 1.182, which applies to all situations not specifically provided for in the regulations of 37 C.F.R. Part 1. Applicant petitions that the Office will determine the above-referenced patent application to be a validly pending patent application. Applicant petitions for any extensions of time deemed necessary under 37 C.F.R. § 1.136(a). Applicant encloses a check in the amount of \$1,280.00, in the event that the petition fee under 37 C.F.R. § 1.17(m) is found to apply. The Commissioner is authorized to charge any applicable fees or deficiencies and to credit any overpayments to Deposit Account No. 50-1566. In the event that the petition fee under 37 C.F.R. 1.17(h) is found to apply, a refund to Deposit Account No. 50-1566 in an amount equal to the difference between the petition fee under 37 C.F.R. § 1.17(m) and § 1.17(h) is respectfully requested.

1. Petition Fee (37 C.F.R. § 1.17(h) or (m))

Application status is:

- ☐ Small Business entity – fee \$620.00  
☐ A statement is attached.  
☐ A statement was filed.  
☒ Other than small entity – fee under § 1.17(h) \$130.00 or § 1.17(m) \$1,280.00

2. Response or action required

- ☐ has been filed.  
☒ is attached.

3. Payment of Fee

- ☒ Enclosed please find a check for ☐ \$710.00 ☒ \$1,280.00  
☒ Charge Account 50-1566 for any additional fee required.  
☐ Charge Account the sum of ☐ \$620.00 ☐ \$1,240.00

A duplicate of this petition is attached.

Respectfully submitted,

Date

02 Aug 02

Ross D. Snyder  
 Ross D. Snyder, Reg. No. 37,730  
 Ross D. Snyder & Associates, Inc.  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 1280.00

**Complete if Known**

Application Number	10/053,340
Filing Date	10/22/2001
First Named Inventor	Ware, et al.
Examiner Name	UNKNOWN
Group Art Unit	2181
Attorney Docket No.	1726.7220701

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AUG 06 2002

**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

50-1566

Deposit  
Account  
Name

Ross D. Snyder &amp; Assoc., Inc.

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ **Payment Enclosed:**

- ☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued) OFFICE OF PETITIONS****3. ADDITIONAL FEES**

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	1280.00
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1280.00

**SUBMITTED BY**

Name (Print/Type)

Ross D. Snyder

Registration No.  
(Attorney/Agent)

37,730

Complete (if applicable)

Telephone

512-347-9223

Signature

Ross D. Snyder

Date

02 Aug 02

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.